

REMARKS

Claims 1-13 were pending in the application. Claims 1-6 are canceled and claims 7-10 and 13 are amended herein. Support for the amendment is found, for example, in the specification on page 6, lines 25-31 and original claims 1 and 2. Hence, no issues of new matter are presented.

Upon entry of the Amendment, claims 7-13 will be all of the claims pending in the application.

I. Formal Matters

On the Office Action Summary Sheet, it is indicated that claims 1-12 are pending, when in fact claims 1-13 are pending in the application. Further, Applicants note that the Examiner did not address claim 13 in the Office Action at all. In view thereof, Applicants respectfully request acknowledgment of claim 13 in the present application. Claim 13 is addressed herein in view of the art of record.

II. Priority Documents

The Examiner indicates that none of the certified priority documents have been received. However, the present application was filed as a National Stage Application and the certified copies of the priority documents should be provided from the International Bureau. In view thereof, Applicants respectfully request verification of whether the certified copies of the priority documents have been received from the International Bureau.

II. Response to Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Trapasso et al (U.S. Patent No. 5,408,751) or Rosenquist (U.S. Patent No. 4,701,516).

Claims 1-4 are canceled herein thereby rendering the rejection moot. However as the rejection applies to the subject matter of claims 1 and 2, which is incorporated into present claim 7, Applicants respectfully traverse the rejection and submit that neither Trapasso nor Rosenquist disclose all elements of the claimed invention as set forth in amended claim 7. Specifically, neither Trapasso nor Rosenquist disclose a plastic lens composition as presently claimed. Therefore, neither one of Trapasso or Rosenquist can serve as a basis for an anticipation rejection under 35 U.S.C. § 102. Claims 8-13 depend from claim 7 and are distinguished for at least the same reason.

Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Response to Rejections Under 35 U.S.C. § 102(e)

Claims 1, 3, 4 and 7-12 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Ooga et al. (U.S. Patent No. 6,545,120).

According to the Examiner, Ooga discloses an alicyclic (meth)allyl ester compound for plastic lenses that can be obtained by a transesterification process and which can endure long-term storage. Trimethallyl cyclohexanetricarboxylate and tetracarboxylate are disclosed as examples. The Examiner asserts that transesterification catalysts within the scope of the present claims are disclosed. It is further asserted that the plastic lens composition described by Ooga may contain radical initiators comprising peroxydicarbonates that are added in the amount of 0.1 to 10 parts by mass. The Examiner also states that the viscosity of the plastic lens composition is

in the range of from 10 to 10,000 mPa·s, more preferably 10 to 500 mPa·s and the plastic lens is obtained by curing the plastic composition of the invention.

Applicants respectfully traverse the rejection and submit that Ooga does not disclose a polyvalent carboxylic acid within the scope of present claim 7, which has been amended to include the subject matter of claim 2, which was not included in this rejection. Claim 7 recites a polyvalent carboxylic acid ester which has, within one molecule, two or more organic groups represented by formula (1) and an organic group represented by formula (2) which is an ester of a polyvalent carboxylic acid selected from the group consisting of 1,3,5-benzenetricarboxylic acid, 1,2,4-benzenetricarboxylic acid, 1,2,3-propanetricarboxylic acid, 1,2,4,5-benzenetetracarboxylic acid and 1,2,3,4-butanetetracarboxylic acid. Ooga only discloses polyvalent carboxylic acids having a cyclohexane ring, which is outside of the scope of the present invention.

Claims 1, 3 and 4 are canceled herein and therefore the rejection as to claims 1, 3 and 4 is rendered moot. Claims 8-12 and 13 depend from claim 7 and are distinguished over Ooga '120 for at least the same reasons. Accordingly, Applicants respectfully request withdrawal of the rejection.

IV. Response to Rejections Under 35 U.S.C. § 103(a)

Claims 1, 5 and 6 are provisionally rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Ooga '120 in view of U.S. Patent No. 6,586,508 (Ooga '508), which has a common inventor with the instant application.

Claims 1, 5 and 6 are canceled herein and therefore the rejection is moot. Accordingly, Applicants respectfully request withdrawal of the rejection.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/089,240

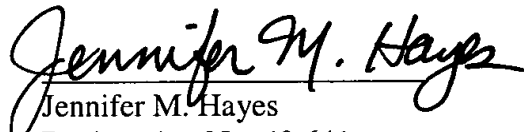
Attorney Docket No.: Q63840

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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